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Case Number

S. Ct. 88-2136

IN THE

United States SUPREME Court

1989 TERM

PETITIONER'S REPLY TO RESPONDANTS' TRIBUNE AND FLORIDA ATTORNEY GENERAL WAIVER OF RIGHT TO FILE BRIEF

JOHN G. BARROW JR.
Plaintiff - Appellant - Petitioner
vs.
JACK REED et., al.
Defendant - Appellee - Not a Respondant

ON WRIT OF CERTIORARI FROM THE U.S. COURT OF APPEALS, ELEVENTH CIRCUIT - ATLANTA, GEORGIA

John G. Barrow Jr.
A Layman without legal education
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IN THE SUPREME COURT
OF THE UNITED STATES
WASHINGTON, D.C.

JOHN G BARROW JR

Plaintiff- Appellant- Petitioner

VS. 88-2136

JACK REED et al

Defendant- Appellee alleging
To Not Responding

* *

PETITIONERS REPLY TO THE RESPONDANT TRIBUNE COMPANY AND THE BRIBE BEGGING ATTORNEY GENERAL OF FLORIDA'S OFFICE.

##

GREGG D THOMAS

1) Let us first take a look at the Brief of " Waiver of Right To File Brief" in opposition to Petitioner John G Barrow Jr's (Barrow) Petition for Writ of Certiorari.

2) ARGUMENT

a) Quote " Barrows Petition is facially deficient.

b) Raises no substantial constitutional issues.

2.)

c) Poses no matters of the maguitude deserving of this courts attention.

CONCLUSION

3) This court should summarily deny Barrows Petition For Writ of Certiorari.

4) Certification.

5) Mr Gregg D Thomas has, in a sneeking way filed his Brief.

The problem being that he has completely ignored all Rules of the Supreme Court Rules -- Rule 33.1 (a) thru Rule 33.7 and Rule 22.2 .

Never the less he got in his licks , that is, if the Clerk of the Supreme Court does file Mr Thomas instrument in defiance of Rule 33.7 .

6) There was not one of the more than 60 issues raised in the Amended Complaint that Mr Thomas could deny. The Defendant offered no responsive pleading. Absolutely not one averment was denied.

this was truly a departure from the accepted and usual course of Judicial proceedings, however with only the defence for the Defendant promulgated by Schlesingers erroneous say so, the Great Judge Hodges without any evidence and without any reason to rely upon in written form, did decide in Jack Reed et al, favor which has so far been sanctioned by the Tjoflat/Hatchett Court.

Mr Thomas still has no defense to offer.

No opposition, of all the material in the Petition and all of the material in the Appendix he offers no opposition,Federal Rules of Civil Procedure Rule 8 (d) " Admitted when not denied" truly applies in this case,right on point.

MR BRIBE BEGGING ATTORNEY GENERAL

In the case of the Attorney Generals office, who has no statutory authority to defend Ben Willis, or anyone else, in the Committing of their illegal acts repugnant

to their Constitutional and Statutory authority also violates Florida Statute Chapter 838.015 and 838.016 begging for bribes.

He offers absolutely no opposition, he can deny no averment in any pleading. But, he does make sure that he keeps his name in the pot to receive his share of the EXCESS OF ONE HUNDRED FORTY THOUSAND DOLLARS, in American Styled Terrorism being extorted by force of the Federal Court in Conflict with, Jones v Bales 58 F.R.D. 453,463 Affid 480 F 2d 805 (5th Cir).

AMERICAN STYLE TERROR WARES IT'S VICTIM DOWN ! DOWN ! DOWN ! and DOWN !

Would ONE HUNDRED FORTY THOUSANDS OF DOLLARS to be extorted by force of the Federal Court Terrorize you ?
If it was to be extorted from you ? Out of your pocket ?
Without a jury, pursuant to Federal Rules of Criminal Procedure Rule 42 (a) and Rule 42 (b) .

A RENEWED DEMAND FOR A DAY IN COURT

The Record must show that pursuant to the Supreme Court Rule 17.1

(a) A review of Writ of Certiorari is not a matter of right.

(b) However, this absence of right to a review does not foreclose on the unquestionable duty of this High Tribunal of legal Might to uphold the Constitution.

(c) Article 1 Section 25 is a very important part of our Constitution and does provide that :" The Courts shall be open to every person for redress of any injury and justice shall be administered without sale, denial or delay"

(d) Judge Hodges slammed the doors shut on the Temple of Justice, so far as applies to this Petitioner. Check the Docket Sheet. This Petitioner again demands his day in court before an impartial Judge which this Petitioner has not been afforded.

Will this Honorable Court uphold our Constitution of these United States ?

6.)

Standing on all four legs of R-17 a Review on Writ of Certiorari, this Petitioner understands "is not a matter of right. but of judicial discretion!" This is ever so clearly understood. However, when this Petitioner has tried over and over and over, to explain to this Supreme Court that the record will prove that this Plaintiff- Appellant- Petitioner has not seen anything that resembles "a day in court", "an open forum" or "the Jury" that was demanded over and over and over, then there can be but one conclusion, that is, that the Supreme Court does not believe in Article One, Section 25 of the United States Constitution. That The United States Supreme Court will not uphold the Constitution of these United States and that this Person will not witness an open forum for the redress of any injury and that justice is not administered

without sale, denial or delay.

To indicate the Character of the reasons begging for an exercise of this Supreme Courts Power of Supervision is the facts as follows

1. There has not been one Respondant in this Action that has filed an appearance in this appeal to this Supreme Court. In any event there has been no copy sent to this Petitioner.

In the above styled action there has been submitted by no Defendant No denial of any issue in the District Court, 11th Circuit or in the Supreme Court ! Not One !

In this above styled Action which has had absolutely no adjudication of any issue in either the Court of First Instance or the Court of Appeals,there has been no Due Pro - cess of law. U.S.C.A. Const. Amend 5 which constitutes a Void Decision and truly a departure from the accepted and usual

course of judicial proceedings.

It is well known to all the World that the 11th Circuit has sanctioned this departure by the lower Court.

The lower court has awarded well over $140 thousand dollars to Harold B Wahl and his co-horts by the District court.

In Jones v Bales 58 F.R.D. 453 463 (N.D. Ga 1972) affid 480 F 2d 805 (5th Cir 1973)

The 5th Circuit Holds:

" Pro se litigants are not subject to the usual incentives against filing repetitive, frivolous or malicious lawsuits. They " are immune from imposition of costs if they are unsuccessful; and because of their poverty, they are practically immune from later tort actions for malicious prosecution or abuse of process"

This excess of $140 Thousand $140,000.00 of terrorism American Style is truly a departure from Jones v Bales above, and has been affirmed and sanctioned by the 11th Circuit See: S.Ct. Rule 17 (a).

Now comes the United States Supreme Court which holds in:

Morrissey v Brewer 92 S Ct @ 2605

" Moreover, in each case the decision-maker must be impartial there must be some record of the proceedings and the decisionmaker's conclusions MUST BE SET FORTH IN WRITTEN FORM, indicating both the evidence and the reasons relied upon because the Due Process Clause requires these proceedings"

How can I explain to my grandchildren and my neighbors the evidence and the reasons relied upon for its denial by this Supreme Court which is in conflict with Morrissey v Brewer above ?

Is the Constitution really dead ?

Is there any way for this Petitioner to experience an Article One Section 25, Open Court before an unbiased judge and jury so as to provide for adjudication of the issues that have arisen ?

This is a Federal Question that a Federal Court of Appeals has decided to ignore and should be settled by the United States Supreme Court.

10.)

Still more departure from the accepted and usual course of judicial proceedings follows:

1. Federal Rules of Civil Procedure Rule 7(a) Mandates:
" There shall be a Complaint AND AN ANSWER To this date there has been no answer from any defendant. Whereupon the Clerk of the Court at the end of 20 days should have entered default of the various defendants.

2. FEDERAL RULES OF CIVIL PROCEDURE RULE 8

b) Defenses; Form of denial;

" A party shall state in short and plain terms his defenses to each claim asserted. and shall ADMIT or DENY the averments upon which the adverse party relies"

d) Effect of failure to deny;

" Averments in a pleading to which a responsive pleading is required other than those as to the amount of damage are admitted WHEN NOT DENIED in the responsive pleading"

There has been no responsive pleading.

These departures from the accepted and usual course of judicial proceedings have also been sanctioned by the 11th Circuit Court of Appeals , this too, does call for an exercise of this Court's Power of Supervision.

In The Court of First Instance, Hodges Consolidation of all cases filed by this Plaintiff, this was repugnant to Edwards v Du Pont De Memours 183 F 2d 165 ,

The Fifth Circuit Holds:

" It cannot deprive the plaintiff of his right to prosecute his suit to final determination in his own way"

Wherefore, Hodges consolidation of these cases was in conflict with Edwards v Du Pont et al. and the accepted and usual course of judicial proceedings.

Then the Defendants of all of these various cases simultaineously filed for Summary judgment in conflict with Whitaker v Coleman (C.C.A. 5th) 115 F 2d 305 illegally using said summary judgment as responsive pleadings and the lower court did by the use of the summary judgment as a catch penny contrivance operating to deprive this plaintiff a live trial , when in fact there was dozens upon top of dozens of genuine issues of material facts to be tried. The above, more departure from the accepted and usual course of judicial proceedings.

If Article One, Section 25 U.S.C. does not entitle this Petitioner to A DAY IN COURT he should be so informed, as a matter of decency.

THE 11th CIRCUIT COURT OF APPEALS

Judge Tjoflat, Judge Johnson and Judge Hatchett in their affirming the decision of Schlesinger's erroneous allegations, couched on his "own say-so" admitted that they, the 11th Circuit did not understand all that they knew, which was nothing.

a) They did not understand --- "the judgment does not indicate."

b) They had no evidence and

c) They had no reason on which to couch their affirmance of the lower courts departure from accepted and usual course of judicial proceedings.

d) The 11th Circuit merely affirmed Schlesingers erroneous allegations what ever they were -- and what they were was not -- known to the Honorable 11th Circuit Judicial Panel.

e) Because of the 11th Circuits be-fuddlement of what ever the Schlesinger decision delivered to Hodges,who knew even less may have been the Great Judges Tjoflat and Judge Johnson and Judge Hatchett did in the name of justice affirm blindly Schlesinger's heinously false allegations. The affirmed decision of the 11th Circuit was cottoned to that which they did " Construe" NOT BY ANY JUDICIAL WISDOM or by any other accepted and usual course of judicial proceedings. See Petitioners Appendix to Petition.

IN THE UNITED STATES DISTRICT COURT

1) Based upon none of the Appellants pleadings.

2) Having heard not one issue.

3) Adjudicating not one of the issues that has arisen.

4) One Harvey E Schlesinger did decide

a) All of the Federal Questions.

b) All of the issues on his own "say-so"

c) And did decide all relevant matters supplying his own evidence which is a departure from the accepted and usual course of proceedings.

5) One Federal Judge Hodges whom Petitioner has never seen and neither did Judge Hodges or Schlesinger have before him .

6) Then came the 11th Circuit who like Schlesinger and Judge Hodges did receive NO evidence and can give no judicial reason and does not have any jurisdiction of the subject matter because Judge Hodges or Schlesinger had NO one before them and the Wise Old Tjoflat, Johnsom, and Hatchett did sanction Schlesingers departure from the accepted and usual course of judicial proceedings.

In the District Court Judge Hodges the decisionmaker, using Schlesinger to handle the dirty stick and using Schlesinger's erroneous and sleazy allegations as a

substitute for the Plaintiffs complaint did put on record in written form his reason for his decision.

a) The plaintiffs written objection.

b) Hodges " Consideration" with no evidence presented or allowed to be presented as there has been no hearing HAD.

c) And "due consideration" 250 miles --- distant, Hodges has had no one before him, wherefore he has no jurisdiction of the person and this eleminates and forecloses upon jurisdiction of the subject-matter. All of Hodges Jazz does constitute a departure from the accepted and usual course of judicial proceedings and the 11th Circuit court of Appeals has so far sanctioned all of Hodges romance and departure in the lower court.

The Chain reaction of Schlesingers no evidence and no reason to rely upon, which in turn gave Hodges no evidence and no reason to rely upon, which in turn gave

16.)

Tjoflat, Johnson and Hatchett absolutely no evidence and no reason to rely upon, in making their decision.

If this Supreme Court of these United States will or will not exercise this Courts Power of Supervision does face this Supreme Court.

The World anxiously awaits your Wise Decision.

AFFIDAVIT OF GOOD FAITH

Now Comes JOHN G BARROW JR, the Petitioner in this Action who demands to impress upon this Honorable Supreme Court of these United States of the pertinacious and obstinate facts that his honest intentions in this Cause of Action is only for the purpose of obtaining a Fair and Speedy administration of Justice.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to; Harold Wahl, 920 Barnett Bank Building Jacksonville, Fl 32202; Joseph Lewis,The Capitol, Tallahassee, Fl 32399; Stephen Durant P.O. Box 59, Jacksonville, Fl 32202 Gregg D Thomas P.O. Box 1288 Tampa, Fl 33601; Clay H Coward, P.O. Box 2854 Orlando, Fl 32802; Michael S Mullin P.O. Drawer 1563 Fernandina Beach, Fl 32034; Jan Johnson P.O. Box 391 Tallahassee, Fl 32399 by U.S. Mail this 21st day of August 1989.

John G Barrow

JOHN G BARROW JR

ACKNOWLEDGMENT FOR PERSONS

STATE OF FLORIDA
COUNTY OF NASSAU

Before me personally appeared JOHN G BARROW Jr, to me well known and known to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS My Hand and Official Seal this 21st day of August, 1989.

Alma M. Barrow

ALMA M BARROW
Notary Public
State of Florida

My Commission expires

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: NOV. 20, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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